IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

WEDNESDAY, THE SECOND DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

HON'BLE SRI DEVINDER GUPTA,

CHIEF JUSTICE

and
HON'BLE SRI JUSTICE M.NARAYANA REDDY

WRIT APPEAL NO : 14 of 2005

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 06/10/2004 in WP NO : 17980 OF 2004 on the file of the High Court.)

Between:

V.Dhananjaya Naidu, s/o Venkata Subba Naidu,
r/o Velmapalem, Venkatagiri Mandal,
Nellore District.

..... APPELLANT

AND

1 The Divisional Forest Officer (Authorised Officer), Flying Squad, Nirmal, Adilabad District.
2 The Forest Range Officer, Flying Squad Division, Nirmal, Adilabad District.

.....RESPONDENTS

Counsel for the Appellant : MR.P.GANGA RAMI REDDY

Counsel for the Respondents : GP FOR FORESTS

The Court at the admission stage made the following:

ORAL JUDGMENT:

(per Hon'ble The Chief Justice)

…..

1 . There is hardly any ground in this appeal for interference. Not only II Additional District Judge (Fast Track Court), Adilabad, on appreciation of evidence, held that the transportation of Red sanders, which was being transported in vehicle in question owned by the appellant, was to the knowledge of the appellant, even learned single Judge held that evidence clearly shows that transportation was with the knowledge of the appellant who also accompanied in another vehicle up to a distance of 30 kms. Learned single Judge also held that reliance placed by the learned counsel for the appellant on a decision reported in Sub-Divisional Forest Officer, Chennur Vs. Vijay B. Gulati (1998 (1) ALD 117 (FB) is misconceived since fact situation is different which was prevailing in the said decision. Except ipse dixit of the appellant, no other evidence was produced by the appellant showing that the transportation of Red sanders is not in his knowledge.

2. Writ appeal fails and is dismissed. No costs.

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DEVINDER GUPTA. C.J.,

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M. NARAYANA REDDY. J.,

Dated: 02.02.2005.

VRK.

To

1 The Divisional Forest Officer (Authorised Officer), Flying Squad, Nirmal, Adilabad District.
2 The Forest Range Officer, Flying Squad Division, Nirmal, Adilabad District.

3. Two CCs to G.P., for Forests, High Court Buildings, Hyderabad (OUT).

4. Two CD copies.

HON'BLE SRI DEVINDER GUPTA,

CHIEF JUSTICE

AND

HON'BLE SRI JUSTICE M. NARAYANA REDDY.

W.A.NO.14 OF 2005.

(Judgment of the Bench delivered by

Hon'ble The Chief Justice)

Dt: 02.02.2005.